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Entered on Docket  
February 03, 2010

*Bruce A. Markell*

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Hon. Bruce A. Markell  
United States Bankruptcy Judge

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HSBC Bank USA, National Association as Trustee for MANA 2007-A2  
09-76083

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

Brian Everett Fucile and Cecilia Argentina Fucile

Debtor(s).

BK-09-21461-bam

Date: 1/19/2010  
Time: 1:30 pm

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

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2       **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Automatic Stay in the  
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
4 Secured Creditor HSBC Bank USA, National Association as Trustee for MANA 2007-A2, its assignees  
5 and/or successors in interest, of the subject property, generally described as 3900 Ortiz Ct. NE,  
6 Albuquerque, NM 87110, and legally described as follows:

7       Unit 3900A, COLONIAL PARK, Albuquerque, New Mexico, as the same is shown and  
8 designated on the plat entitled "Colonial Park a condominium residential enterprise  
9 existing bUildings on a portion of Block #48, of Unit #4, of the Altamont Addition", filed  
10 in the Office of the County Clerk of Bernalillo County, New Mexico, on September 26,  
11 1979, in Plat Book C1S, folio 119.

12       **IT IS FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor shall give  
13 Debtors at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of  
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured  
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By K. Goldstein #10235

9 **GREGORY L. WILDE, ESQ.**  
10 Attorney for Secured Creditor  
11 208 South Jones Boulevard  
12 Las Vegas, Nevada 89107

13 APPROVED / DISAPPROVED

14 \_\_\_\_\_  
15 Philip K. Goldstein  
16 609 S. 7th Street  
17 Las Vegas, NV 89101  
18 Attorney for Debtor(s)

19 APPROVED / DISAPPROVED

20 \_\_\_\_\_  
21 Kathleen A Leavitt  
22 201 Las Vegas Blvd., So. #200  
23 Las Vegas, NV 89101  
24 Chapter 13 Trustee

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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2  The court waived the requirements of LR 9021.

3  No parties appeared or filed written objections, and there is no trustee appointed in the case.

4  No parties appeared or filed written objections, and the trustee is the movant.

5  This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7  approved the form of this order  disapproved the form of this order

8  waived the right to review the order and/or  failed to respond to the document

9  appeared at the hearing, waived the right to review the order

10  matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12  approved the form of this order  disapproved the form of this order

13  waived the right to review the order and/or  failed to respond to the document

14  This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
respond, as indicated below.

15 Debtor's counsel:

16  approved the form of this order  disapproved the form of this order

17  waived the right to review the order and/or  failed to respond to the document

18  appeared at the hearing, waived the right to review the order

19 Trustee:

20  approved the form of this order  disapproved the form of this order

21  waived the right to review the order and/or  failed to respond to the document

22  I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor